STATE OF WISCONSIN

OFFICIAL

INTERIM OPINION AND ORDER

Before: JULIAN, Chairperson, SERPE and DEWITT, Board Members.

## OPINION

At the prehearing conference the parties stipulated to the following issues:

- Whether the Department of Natural Resources validly rejected Appellant from further consideration for the Warden 1 position because of failure to meet the minimum medical requirements for the job at the time the examination for the position was administered.
- 2. Whether the Personnel Board has jurisdiction to hear this appeal.

The Director is responsible for the examination function in the state civil service. See Sections 16.12, 16.13, Stats. Actions and decisions of the Director are appealable to the Board pursuant to Section 16.05(1)(f), Stats. Delegated actions by agencies are made appealable to the Board by Section 16.03(2), Stats. Therefore, whether the actions or decisions complained of are attributable to the Director or to the agency, an appeal lies to the Personnel Board in either case.

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## ORDER'

Respondent's jurisdictional objection is overruled.

Dated December 21 , 1976. STATE PERSONNEL BOARD

y L. Julian, Jr., Chairperson